

May 7, 2003 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

03AN0266

Glade M. and Kathleen Knight

Midlothian Magisterial District
2930 Vistapoint Road

REQUEST: A twenty (20) foot Variance to the fifty (50) foot rear yard setback requirement for a dwelling addition.

RECOMMENDATION

Recommend denial of this Variance for the following reasons:

- A. Staff finds there are no extraordinary circumstances or conditions applying to this property which do not apply generally to all other properties in the immediate area.
- B. The applicants have provided no information that there are such unusual circumstances about this property that adherence to the required setback would cause undue hardship.

GENERAL INFORMATION

Location:

Property is known as 2930 Vistapoint Road. Tax ID 724-721-8809 (Sheet 1).

Existing Zoning:

R-40

Size:

0.9 acre

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Existing Land Use:

Residential

Adjacent Zoning and Land Use:

North - R-25 and R-40; Residential and vacant

South - R-40; Residential

East - R-40; Residential

West - R-25; Vacant

Utilities:

Public water and private septic system

Transportation:

This request should have no effect on traffic patterns in the area.

General Plan:

(Old Gun/Robious Area Plan)

Residential

One (1) dwelling unit per acre or less

DISCUSSION

The applicants are proposing to construct an addition to the rear of the dwelling. The applicants have indicated the addition will be located thirty (30) feet from the rear property line. The Zoning Ordinance requires a fifty (50) foot setback requirement in a Residential (R-40) District. Therefore, the applicants request a twenty (20) foot Variance (see attached plat).

The applicants provide the following justification in support of this request:

We would like to renovate and upgrade the existing residence. The lot configuration and current development allow no other alternative to enhance our existing residence. The neighborhood preference is for a large home, more typical of the additional square footage requested.

Staff visited the site which is located in the Salisbury Subdivision. Staff notes Queens Grant and Kings Farm Subdivisions are located to the north and west of the subject property and are currently being developed.

Staff has reviewed the attached site plan and the applicants' proposal. Staff finds that there are no extraordinary circumstances, conditions or physical features that would prohibit adherence to the required setbacks. Therefore, the test for Variances as specified in the Zoning Ordinance (Section

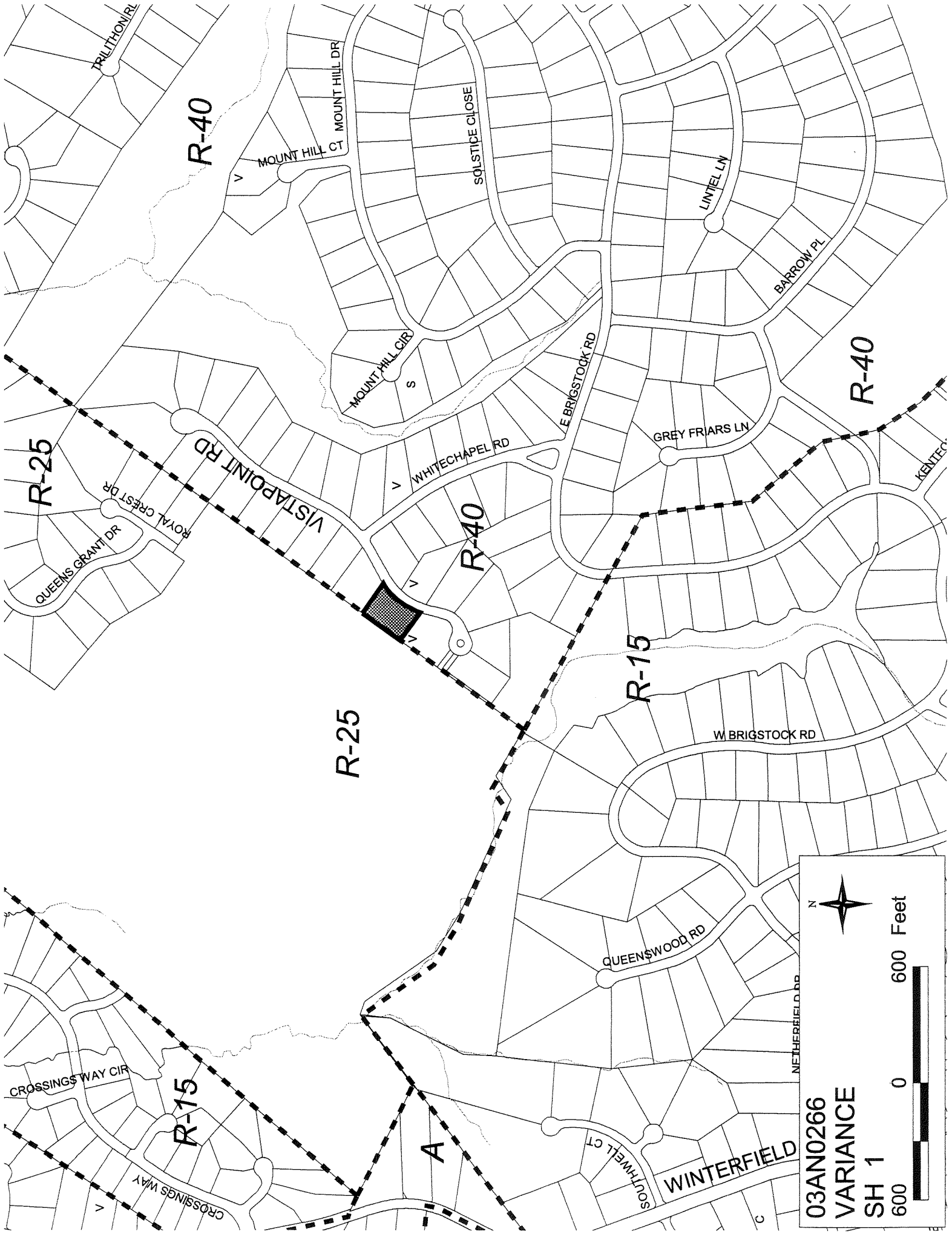
19-21.(b)) has not been met. In addition, it is staff's opinion that an alternative exists to this request. The applicants could relocate, redesign or reduce the size of the proposed addition, thereby meeting the setback requirements.

Because an alternative exists and the applicants have not provided evidence of extraordinary conditions, staff does not support this request.

Should the Board of Zoning Appeals approve this request, it should be applicable to this addition only. Other additions could be constructed to this reduced setback. Therefore, staff recommends if this request is approved, it be subject to the following condition:

CONDITION

This Variance shall be for the addition as depicted on the plat attached to staff's report.



600 Feet

0

600

03AN0266
VARIANCE
SH 1

